S.B. Civil Writ Petition No.9476/05
Smt. Manjeet Kaur Vs. State of Raj.

Date of Order : 15/04/2006

Hon'ble Mr. Justice Ajay Rastogi

Mr. Manish Bhandari, for petitioner

Instant petition has been filed against the order dt.9th/18th November, 2005 [Ann.5] whereby the second selection scale sanctioned has been cancelled by the respondents.

Undisputedly, the order assailed is appealable under the Rajasthan Civil Services Appellate Tribunal Act, 1976, but at the time of filing of writ petition, it was informed by the counsel that since the Tribunal was not functioning, as such she approached this court. Counsel further submits that the Tribunal has now started its functioning and hearing the matters. In changed scenario, it is advisable to the petitioner to approach the Tribunal and avail remedy available under statute. Since the petition was filed before this court on 26th November, 2005 and remained pending, in my opinion, if the appeal is preferred within 30 days, the Tribunal may treat the same within limitation and decide it in accordance with law on merits.

With the above observations, the writ petition stands disposed of.

[Ajay Rastogi],J.

FRB